

**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE AND
JMFC.,AT DEVANAHALLI**

Present: Sri. PRATHAP KUMAR. N.,^{B.A. L.L.B.,}
Prl. Civil Judge & JMFC.,
Devanahalli.

Dated this the 15th day of November, 2022

O.S.No.259/2022

Plaintiff : Mr. Rudraswamy
Represented by its GPA holder
Mr. B.M Karunesh

V/s

Defendant: Sri. Mr.Manjunatha Gowda H.D
and others

PARTIES IN I.A. NO.I

**Applicant/
Plaintiff :** Mr. Rudraswamy
Represented by its GPA holder
Mr. B.M Karunesh

-V/s-

**Opponent/
defendants :** Sri. Mr.Manjunatha Gowda H.D
and others and others

ORDER ON I.A. No. I

This order arising out of I.A filed by plaintiff U/o 39

Rule 1 and 2 R/w Sec.151 of CPC seeking restraining the defendants, their agents, servants, representatives or any body claiming under them from not to interfere with plaintiff's peaceful possession and enjoyment of the suit schedule property in favour of third party till disposal of suit.

2. In support of application, plaintiff has duly sworn affidavit and annexed the same along with application and stated that, plaintiff is an owner an absolute owner and in possession and enjoyment of the suit schedule property which was acquired by plaintiff from one Mr. S. L. Nataraj S/o. S. N. Lakshminarayana Dixit through register Sale Deed dated 17.04.2007 which was was registered on 29.08.2013 in the office of the Senior Sub-Registrar, Gandhinagar (Jala) for a valuable consideration, the erstwhile owner of the Suit Schedule Property Mr. S. L. Nataraj who was in de jure possession of the Suit Schedule Property put the Plaintiff in the peaceful and vacant possession of the same Plaintiff is thus the absolute owner of the Suit Schedule Property exercising unimpeachable rights over the same. Pursuant to purchase of the Suit Schedule Property, Plaintiff filed an application before the Tahsildar for phodidurasth and accordingly the Suit Schedule Property was bifurcated and New Sy. No.184/1

was allotted. It is relevant to mention herein that pursuant to an application filed by some individuals, durasth phodi was suo-moto conducted by the RRT/BNA/CR/274/2008-09 and an order dated 25.08.2009 came to be Assistant Commissioner, Bengaluru North in case No passed wherein repatriation of Sy. Nos.140 to 162 and 127 to the old Sy No.72 was ordered. Pursuant to the same, the jurisdictional Tahsildar mutated the entries in the record of rights. As things stood thus, Mr. Rudraswamy applied for phodidurasth to the jurisdictional Tahsildar, who in turn sought permission of the Assistant Commissioner, Bengaluru North to rebuild the records and to conduct phodi as per section 67(2) of the Karnataka Land Revenue Act, 1964 and to form a committee for missing records for rebuilding the said records. In pursuance of the same, a committee was set up for rebuilding of the missing records. The said committee consisted of the Deputy Commissioner, the Joint Director of Survey Records, the Regional Commissioner of Revenue, all the Assistant Commissioners of Bengaluru Urban and the Tahsildars of the four zones. The said Committee thereafter vide proceedings bearing No.6/2018-19 dated 18.12.2018 approved the said proposal to rebuild the missing records. The same was forwarded to the Assistant Commissioner, Bengaluru North who in turn directed the Tahsildar and the

Assistant Director of Survey and Land Records, Yelahanka to conduct phodidurasth. Accordingly, the Assistant Director of Survey and Land Records, Yelahanka conducted phodidurasth and assigned New Sy. No.184 to the larger portion of land measuring 4 acres 20 guntas in which the Suit Schedule Property is situated. The Akaraband and Tippaniwas rebuilt. Thereafter, the Tahsildar has generated a fresh RTC and MR bearing No.T15/2020-21, as on date the katha, durasth and all revenue entries as well stand in the name of Mr. Rudraswamy, and also Mr. Rudraswamy had applied for conversion of the Suit Schedule Property which formed part of the larger property in New Sy. No.184. Accordingly, the Suit Schedule Property was bifurcated into Sy.No.184/1, thereafter Suit Schedule Property was converted from agricultural to non-agricultural residential purposes, Plaintiff being the lawful owner and in settled possession and enjoyment of the Suit Schedule Property had deputed some security personnel at the Suit Schedule Property to safe guard his interests. Albeit, on 02.06.2022 at about 10:00 am., out of the blue, the Defendants barged inside the Suit Schedule Property and abused and threatened the security personnel deployed by Mr. Rudraswamy warning them to inform Mr. Rudraswamy to pay the money demanded by them or that they will take possession of the Suit Schedule Property. The

Defendants have no manner of right to frustrate the legitimate rights of Mr. Rudraswamy to exercise absolute right over the Suit Schedule Property subject to the Laws for the time being in force, Despite that being the case, the Defendants proposed to threaten to illegally dispossess Mr. Rudraswamy from the Suit Schedule Property in the event Mr. Rudraswamy failed to succumb to their dicta and pay the money demanded by them, on 07 06.2022 at about 9:30 a.m., yet again the Defendants started creating a ruckus by coming along with their henchmen and entered upon the Suit Schedule Property and attempted to dispossess Mr. Rudraswamy by threatening, abusing and forcing the security personnel employed by Mr. Rudraswamy the Plaintiff out of the Suit Schedule Property, the Defendants are powerful persons in the locality, having the backing of both political power as well as financial power. In such circumstances, we are highly vulnerable to the illegal acts of the Defendants. Mr. Rudraswamy has no other option but to approach this Hon'ble Court for protection of his interest. Hence allow the application.

3. On other hand the defendant No.7 and 8 have resist application filed by plaintiff and stated that, application filed by the Plaintiff under order 39 rule 1 and 2 of civil procedure code to restraining the defendants from

interfering the suit schedule property is not maintainable either in law or on facts and the same is liable to be dismissed in limine and the allegations contained in the para No.3 to 17 of the interim application filed by the Plaintiff is hereby denied and false plaintiff has prove the same, Plaintiff has filed the above suit for permanent injunction against the Defendants in respect of the suit schedule property on. fabricated and concocted documents with malafied intention to harass and to grab the valuable property of these defendants, Plaintiff has concocted and created revenue documents and obtained mutation in his favour without any right,title and interest and filed the above suit for injunction which is against the principles of law and as such the injunction order granted by this Hon'ble Court is liable to be vacated forthwith, Plaintiff has suppressed facts of the case and the existing dispute between the Plaintiff and the Defendants. Hence the Plaintiff is guilty of "suppressio veri suggussio falsi" and he is not entitle for any relief sought for, from this Hon ble Court and the plaint is liable to be rejected. The allegations contained in the interim application filed by the Plaintiff is the absolute owner in possession of the agricultural land bearing Sy.No. 184/1 (Old Sy.no- 161), measuring 2 acres 20 guntas, situated at Huttanahalli Village, Jala Hobli, Yelahaka Taluk, Bengaluru are all hereby

denied by these Defendants as absolutely false and the plaintiff is put to strict proof of the same and also these defendants never interfering with peaceful possession and enjoyment of the suit schedule property by mentioning the wrong boundaries and filed the above suit and application on imaginary ground, defendants producing the relevant documents itself prove that their family members and they are in peaceful possession and enjoyment by growing the seasonal crops i.e., ragi, maize and others more than 60 years and also paid the revenue to the concern jurisdictional revenue authorities in respect the land bearing old no-Sy.No.72 and now new Sy.No.148 measuring 3 acres of Agricultural land situated at Huttanahalli Village, Jala Hobli, Yelahaka Taluk, Bengaluru.. the land bearing old no-Sy.No.72 and now new Sy.No. 148 measuring 3 acres of Agricultural land situated at Huttanahalli Village, Jala Hobli, Yelahaka Taluk, Bengaluru is originally belongs to the common ancestor of these Defendants by their father Krishnappa s/o late Mallappa grant vide order of the Thasildhar at Devanahalli Talluk, Devanahalli LND SR-1766/1962-63 dated 07-09-1962 and grant certificate issued on 06-03-1963 thereafter above mentioned land has been confirmed by the Special District Commissioner court, Bangalore Urban District through Revision Petition No-37/2008-09 and also possession of these defendant has

confirmed in respect. the land bearing Sy. No-72/148 an extent of 3-00 acres. It is further submits that after demise of these defendants father Krishnappa s/o late Mallappa katha. has been transferred in to their names as Pavathi varasu katha through these defendants has producing the relevant documents, i.e., grant certificate, revenue documents along with survey records for the kind. perusal of this hon'ble court.8. These defendants further submits that the application filed by the plaintiff is frivolous and they are not in possession, enjoyment and also to grab the valuable property of these defendants filed false suit. These defendants also initiated the requisition and complaints against the plaintiff before the concern authorities and to cancellation of illegal Phodi and illegal orders passed by the concern authorities without any valid relevant documents by colluding with plaintiff to grab the valuable property. Hence prays to dismiss the application.

4 Heard on arguments both side and perused the materials on record.

5. Upon perusal of the records and documents, the following points are arisen for my consideration.

:POINTS:

1)Whether the prima facie case lies in favor of plaintiff?

2)Whether balance of convenience lies in favor of plaintiff?

3)Whether any irreparable injury or hardship which cannot be compensated in terms of money would be caused to the plaintiffs in the event of refusal of temporary injunction sought?

4)Whether the defendant shows that, plaintiff has not shown prima facie case in his favor ?

5)What order?

06. My findings on the above points are as follows:

Point No. 1 : In the Affirmative

Point No. 2 : In the Affirmative

Point No. 3 : In the Affirmative

Point No. 5 : As per final order for the following:

REASONS

07. Point No.1 : The plaintiff has filed suit against defendant seeking relief of permanent injunction and declaration . Before going to discussion on the case, it is worth note argued advanced by both parties. The learned

counsel for plaintiff vehemently argued that, plaintiff is an owner an absolute owner and in possession and enjoyment of the suit schedule property which was acquired by plaintiff from one Mr. S. L. Nataraj S/o. S. N. Lakshminarayana Dixit through register Sale Deed dated 17.04.2007, after purchase of the Suit Schedule Property, Plaintiff filed an application before the Tahsildar for phodi durasth and accordingly Suit Schedule Property was bifurcated and New Sy. No.184/1 was allotted. It is relevant to mention herein that pursuant to an application filed by some individuals, durasthphodi was suo-moto conducted by the RRT/BNA/CR/274/2008-09 and an order dated 25.08.2009 came to be Assistant Commissioner, Bengaluru North in case No passed wherein repatriation of Sy. Nos.140 to 162 and 127 to the old Sy No.72 was ordered. Pursuant to the same, the jurisdictional Tahsildar mutated the entries in the record of rights. As things stood thus, Mr. Rudraswamy applied for phodidurasth to the jurisdictional Tahsildar, who in turn sought permission of the Assistant Commissioner, Bengaluru North to rebuild the records and to conduct phodi as per section 67(2) of the Karnataka Land Revenue Act, 1964 and to form a committee for missing records for rebuilding the said records. In pursuance of the same, a committee was set up for rebuilding of the missing records. The said committee

consisted of the Deputy Commissioner, the Joint Director of Survey Records, the Regional Commissioner of Revenue, all the Assistant Commissioners of Bengaluru Urban and the Tahsildars of the four zones. The said Committee thereafter vide proceedings bearing No.6/2018-19 dated 18.12.2018 approved the said proposal to rebuild the missing records. The same was forwarded to the Assistant Commissioner, Bengaluru North who in turn directed the Tahsildar and the Assistant Director of Survey and Land Records, Yelahanka to conduct phodidurasth. Accordingly, the Assistant Director of Survey and Land Records, Yelahanka conducted phodidurasth and assigned New Sy. No.184 to the larger portion of land measuring 4 acres 20 guntas in which the Suit Schedule Property is situated. The Akaraband and Tippaniwas rebuilt. Thereafter, Rudraswamy had applied for conversion of the Suit Schedule Property which formed part of the larger property in New Sy. No.184. Accordingly, the Suit Schedule Property was bifurcated into Sy.No.184/1, thereafter Suit Schedule Property was converted from agricultural to non-agricultural residential purposes, Plaintiff being the lawful owner and in settled possession and enjoyment of the Suit Schedule Property had deputed some security personnel at the Suit Schedule Property to safe guard his interests. Albeit, on 02.06.2022 at about 10:00 am., out of the blue, the Defendants barged inside

the Suit Schedule Property and abused and threatened the security personnel deployed by Mr. Rudraswamy warning them to inform Mr. Rudraswamy to pay the money demanded by them or that they will take possession of the Suit Schedule Property. The Defendants have no manner of right to frustrate the legitimate rights of Mr. Rudraswamy to exercise absolute right over the Suit Schedule Property subject to the Laws for the time being in force, Despite that being the case, the Defendants proposed to threaten to illegally dispossess Mr. Rudraswamy from the Suit Schedule Property in the event Mr. Rudraswamy failed to succumb to their dicta and pay the money demanded by them. Hence allow the application.

08. On the other hand defendants have contended that, application filed by plaintiff is not maintainable either in law or on facts, application filed by the Plaintiff is not maintainable either in law or on facts, the allegations contained in the para No.3 to 17 of the interim application filed by the Plaintiff is hereby denied and false, plaintiff has suppressed facts of the case and the existing dispute between the Plaintiff and the Defendants. Hence the Plaintiff is guilty of "suppressio veri suggussio falsi" and he is not entitle for any relief sought for, from this Hon'ble Court, the allegations contained in the interim application

filed by the Plaintiff is the absolute owner in possession of the agricultural land bearing Sy.No. 184/1 (Old Sy.no- 161), measuring 2 acres 20 guntas, situated at Huttanahalli Village, Jala Hobli, Yelahaka Taluk, Bengaluru are all hereby denied by these Defendants as absolutely false and the plaintiff is put to strict proof of the same and also these defendants never interfering with peaceful possession and enjoyment of the suit schedule property by mentioning the wrong boundaries and filed the above suit and application on imaginary ground, defendants producing the relevant documents itself prove that their family members and they are in peaceful possession and enjoyment by growing the seasonal crops i.e., ragi, maize and others more than 60 years and also paid the revenue to the concern jurisdictional revenue authorities in respect the land bearing old no-Sy.No.72 and now new Sy.No.148 measuring 3 acres of Agricultural land situated at Huttanahalli Village, Jala Hobli, Yelahaka Taluk, Bengaluru.. the land bearing old no-Sy.No.72 and now new Sy.No. 148 measuring 3 acres of Agricultural land situated at Huttanahalli Village, Jala Hobli, Yelahaka Taluk, Bengaluru is originally belongs to the common ancestor of these Defendants by their father Krishnappa s/o late Mallappa grant vide order of the Thasildhar at Devanahalli Talluk, Devanahalli LND SR-1766/1962-63 dated 07-09-1962 and grant certificate

issued on 06-03-1963 thereafter above mentioned land has been confirmed by the Special District Commissioner court, Bangalore Urban District through Revision Petition No-37/2008-09 and also possession of these defendant has confirmed in respect. the land bearing Sy. No-72/148 an extent of 3-00 acres. It is further submits that after demise of these defendants father Krishnappa s/o late Mallappa katha. has been transferred in to their names as Pavathi varasu katha through these defendants has producing the relevant documents, i.e., grant certificate, revenue documents along with survey records for the kind. perusal of this hon'ble court.8. These defendants further submits that the application filed by the plaintiff is frivolous and they are not in possession, enjoyment and also to grab the valuable property of these defendants filed false suit. These defendants also initiated the requisition and complaints against the plaintiff before the concern authorities and to cancellation of illegal Phodi and illegal orders passed by the concern authorities without any valid relevant documents by colluding with plaintiff to grab the valuable property. Hence prays to dismiss the application

09. At this stage, without going to the merits of the case and holding mini trial, this court has considered the aspect prima-facie case. At this stage, this court makes it

clear that, this court is looking towards prima-facie case and not prima-facie title. It is settled principal law that, at the time dispose the temporary injunction application, the court cannot go into prima-facie case title and only to consider whether the plaintiff has made out a prima facie case for granting interim relief.

10. The primarily purpose for granting interim relief is the preservation of the things in dispute till legal rights and conflicting claims of the parties before the court are adjudicated. In other words, the object of making an order regarding interim relief is to evolve a workable formula to the extent called for by the demands of situation, keeping in mind the pros and cons of the matter and striking a delicate balance between two conflicting interests i.e., injury and prejudice, likely to be caused to the plaintiff if the relief is refused and injury and prejudice likely to be caused to the defendants, if the relief is granted. The underlying object of granting temporary injection is to maintain and preserve status-quo at the time of institution of the proceedings and to prevent any change in it until the final determination of the suit. It is in the nature of protective relief granted in favour of a party to prevent future possible injuries.

11. The power to grant a temporary injunction is at the discretion of the court. This discretion, however, should be exercised reasonably, judiciously and on sound legal principles. Injunction should not be lightly granted as it adversely affects the other side. The 1st rule is that, the applicant must make out a prima-facie in support of the right claimed by him. The court must be satisfied that, there is a bonafide dispute raised by the applicant that, there is a strong case for trial which needs investigation and a decision on merits and on the facts before the court there is a probability of the applicant being entitled to the relief claimed by the him. The existence of a prima-facie right and infraction of such right is a condition precedent for grant of temporary injunction.

12. On gone through pleadings, it appears that, the defendants having no right title over the suit schedule property, further the plaintiff has obtain conversion order from the concerned department after he got purchased suit schedule property from his vendor. On gone through the records it appears that, there are two cases were registered by the Chikkajala Police against these defendants on the same allegation, which are pending for adjudication, at this juncture defendants again and again interfere with plaintiff's peaceful possession and

enjoyment of the suit schedule property without having right over the suit schedule property.

13. Further the defendants have sought their right over property bearing Sy. No.72 situated at Uttanahalli village, Jala Hobli, Yalahanka Taluk, wherein the said survey number is an government property and it is more than 144 acres are existence and the defendants are claiming only 3 acres of property on the basis of tenancy, further the tenancy application is also pending before revenue department under such circumstances defendants having no right to interfere with plaintiff's peaceful possession and enjoyment of the suit schedule property.

14. On gone through the documents produced by both parties it appears that, the plaintiff has purchased suit schedule property from his vendor, thereafter which was converted into non agricultural purpose and obtain order from the Deputy Commissioner, thereafter the plaintiff is in possession and enjoyment of the suit schedule property, under such circumstances defendants having no right to interfere with plaintiff 's peaceful possession and enjoyment of the suit schedule property. Hence plaintiff has proved prima-facie case in his favour.

15. Hon'ble Apex court held that, while applying discretion Court should verified three test which is prima facie case, balance of in convenience, irreparable loss if decline to granting injunction. *In case reported in **1995(5) SCC 545** between **(Gujarat Bottling Co. Ltd. and others V/s. Coca Cola Co. and others)***. Held that;

B. Civil Procedure Code, 1908 - Or.39 - Interlocutory injunction - Grant - discretion of court - Factors to be considered in exercise of discretion - Balance of convenience to be seen - Being an equitable relief, conduct of party seeking the injunction or the party seeking court's interference with the order of injunction must be fair - Undertaking can be obtained from the party in whose favour injunction is granted to compensate the other party in case of decision in favour of that party - Equity.

C. Specific Relief Act, 1963 - S. 42 - Injunction enforcing negative stipulation in contract - Discretion of court - When can injunction be refused

Held: The grant of an interlocutory injunction during the pendency of legal proceedings is a matter requiring the exercise of discretion of the court. While exercising the

discretion the court applies the following tests - (i) whether the plaintiff has a prima facie case; (ii) whether the balance of convenience is in favour of the plaintiff; and (iii) whether the plaintiff would suffer an irreparable injury if his prayer for interlocutory injunction is disallowed. The decision whether or not to grant an interlocutory injunction has to be taken at a time when the existence of legal right assailed by the plaintiff and its alleged violation are both contested and uncertain and remain uncertain till they are establish at the trial on evidence. Relief by way of interlocutory injunction is granted to mitigate the risk of injustice to the plaintiff during the period before that uncertainty could be resolved. The object of interlocutory injunction is to protect the plaintiff against injury by violation of his right for which he could not be adequately compensated in damages recoverable in the action if uncertainty were resolved in his favour at the trial. The need for such protection has, however, to be weighed against the corresponding need of the defendant to be protected against injury resulting from his

having been prevented from exercising his own legal rights for which he could not be adequately compensated. The court must weigh one need against another and determine where the "balance of convenience" lies. In order to protect the defendant while granting an interlocutory injunction in his favour the court can require the plaintiff to furnish an undertaking so that the defendant can be adequately compensated if the uncertainty were resolved in his favour at the trial.

Under Order 39 of the Code of Civil Procedure, jurisdiction of the court to interfere with an order of interlocutory or temporary injunction is purely equitable and, therefore, the court, on being approached, will, apart from other considerations, also look to the conduct of the party invoking the jurisdiction of the court, and may refuse to interfere unless his conduct was free from blame. Since the relief is wholly equitable in nature, the party invoking the jurisdiction of the court has to show that he himself was not at fault and that he himself was not responsible for bringing about the state of things complained of and that he was not unfair

or inequitable in his dealings with the party against whom he was seeking relief. His conduct should be fair and honest. Those considerations will arise not only in respect of the person who seeks an order of injunction under Order 39 Rule 1 or Rule 2 of the Code of Civil Procedure, but also in respect of the party approaching the court for vacating the ad interim or temporary injunction order already granted in the pending suit or proceedings.

Another decision of Hon'ble Apex court reported in 2006 (5) SCC 282 between (Seema Arshad Zaheer and others V/s. Municipal Corpn. of Greater Mumbai and others) Held that;

Civil Procedure Code, 1908 - Or. 39 R.1 and Or. 43 R.1(r) - Temporary injunction - When to be granted - Interference by appellate court with the discretion of the trial court when justified - Law in general and law in cases of orders for demolition of buildings, restated - In cases of demolition of buildings where the plaintiff fails to make out a prima facie case for grant of an injunction may not be granted merely on the ground of sympathy or hardship - Where the lower court acts arbitrarily, capriciously or perversely in the

exercise of its discretion, the appellate court will interfere - Granting temporary injunction on the basis of "no material" or refusal to grant temporary injunction are instances of such exercise of discretion - The expression "no material" for the said purpose, held, includes cases where there is not relevant material or where the material, taken as a whole, is not reasonable capable of supporting the exercise of discretion - On facts, held, there was no material in the present case to make out a prima facie case for the grant of temporary injunction against the order of the Commissioner of the Municipal Corporation for the removal/pulling down of the structures he had found to be unauthorized and illegal -Hence, High Court rightly interfered and vacated the temporary injunction granted by the trial court - Practice and Procedure - Interim/Interlocutory orders - Temporary injunction - Town Planning - Unauthorized construction - Municipal Corporation's order for removal/pulling down of - Grant of temporary injunction against, by court - When permissible - Municipalities - Bombay Municipal Corporation

Act, 1888 (3 of 1888), S. 351 - Words and phrases
- "no material"

Held: The discretion of the court is exercised to grant a temporary injunction only when the following requirements are made out by the plaintiff; (i) existence of a prima facie case as pleaded, necessitating protection of the plaintiff's rights by issue of a temporary injunction; (ii) when the need for protection of the plaintiff's right is compared with or weighed against the need for protection of the defendant's rights or likely infringement of the defendant's rights, the balance of convenience tilting in favour of the plaintiff; and (iii) clear possibility of irreparable injury being cause to the plaintiff if the temporary injunction is not granted. In addition, temporary injunction being an equitable relief, the discretion to grant such relief will be exercised only when the plaintiff's conduct is free from blame and he approaches the court with clean hands.

The principal laid down by Hon'ble Apex court in above referred decision, plaintiff is established three test. On this grounds, he is entitled interim injunction against

defendants. ***Hence, my answer to point No.1 in the Affirmative.***

16.POINT No.2 The existence of prima-facia case in these matters of granting injunction is really harbinger to investigate other points as per principal cited in the decision of *Gourishankar Swamigalu has reported in ILR 1989 Karnataka 1701* and it has been further held that if there is no prima-facia case at all or the case put forward is so weak and tainted having very little prospect of being accepted by the Court, further questions of balance of convenience and irreparable loss need not be considered since the plaintiff would fall at the very first stile itself. The relief of injunction is remedy in equity hence such relief must be bestowed only on whose reputation and hands are both spotlessly clean. In the light of discussion made about I am of the opinion that balance of convenience lies in favour of plaintiff. ***Hence, my answer to the point No.2 in the Affirmative.***

17.POINT No.3 If any temporary injunction is granted the plaintiffs should be irreparable injury or hardship which cannot be compensated in terms of money. Therefore, the plaintiff is not loss or any hardship

compensated by in terms of money. ***Hence, my answer to point No.3 in the Affirmative .***

18. POINT No.4: In view of my answer on point No.1 to 3 I passed the following:

ORDER

IA No.I filed by plaintiff Under Order 39 Rule 1 and 2 R/w section 151 of C.P.C., is hereby allowed.

Accordingly defendants, their agents, servants, henchmen are hereby restrained from not interfere with plaintiff's peaceful possession and enjoyment of the suit schedule property till disposal of suit.

No order as to be cost.

(Dictated to Stenographer directly on computer by him, then same is corrected and pronounced by me in the open court on this the 14th day of November 2022.)

(Sri. Prathap Kumar. N)
Prl. Civil Judge and JMFC.,
Devanahalli.

